

THRIVENT FINANCIAL FOR)
LUTHERANS,)
))
Plaintiff,)
))
vs.) **Case number 4:07cv1079 TCM**
))
LUTHERAN CHURCH MISSOURI)
SYNOD FOUNDATION and)
TIM STEINMEYER,)
))
Defendants.)

On the motion of plaintiff, Thrivent Financial for Lutherans, for an Order of Service by Publication on Tim Steinmeyer, and the Court being duly advised in the premises, it is hereby ORDERED as follows:

1. Plaintiff filed this action on June 5, 2007, naming, *inter alia*, Tim Steinmeyer as a defendant in this action.
2. Service may be effected in any judicial district of the United States pursuant to the law of the state in which the district court is located. Fed. R. Civ. P. 4(e)(1).
3. Missouri law allows for notice of an action to be provided through publication where a defendant is a nonresident of this state and cannot be personally served in this state, or has absented himself from his usual place of abode in this state, or has concealed himself so that ordinary process of law cannot be personally served upon him. Mo. Rev. Stat. § 506.140(4).

4. Defendant Tim Steinmeyer has absented himself from his usual residence in Missouri and has concealed himself so that he cannot be personally served with ordinary process of law.

5. The proposed "Notice to Tim Steinmeyer," submitted as Exhibit 1 to Plaintiff's motion and hereinafter referred to as the "Notice by Publication," complies with all mandates of Missouri law, see Mo. Rev. Stat. § 506.160, and satisfies due process in that it is reasonably calculated, under all the circumstances, to apprise defendant Tim Steinmeyer of the pendency of this action.

6. The Notice by Publication is hereby approved. Plaintiff is ordered to publish it in the St. Louis Daily Record, a newspaper of general circulation in the county where this suit is instituted, as well as in The Sedalia Democrat, a newspaper of general circulation in the area of Smithton, Missouri (which is the location of defendant Tim Steinmeyer's last known address), on the dates of November 6, 2007, November 13, 2007, November 20, 2007 and November 27, 2007.

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 1st day of November, 2007.